

## **EXHIBIT D**

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1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF MASSACHUSETTS  
3 -----x  
4 UNITED STATES OF AMERICA AND  
5 DAVID FRANKLIN,  
6 Plaintiffs,  
7 v. No. 96-11651-PBS  
8 PARKE-DAVIS, DIVISION  
9 OF WARNER-LAMBERT COMPANY,  
10 Defendant.  
11 -----x  
12 Volume: II Pages: 1-342  
13  
14 CONTINUATION DEPOSITION OF DAVID P.  
15 FRANKLIN, a witness called on behalf of the  
16 Plaintiff, taken pursuant to the provisions  
17 of the Massachusetts Rules of Civil  
18 Procedure, before Linda Bernis, a Registered  
19 Professional Reporter and Notary Public in  
20 and for the Commonwealth of Massachusetts,  
21 at the offices of Hare & Chaffin, 160  
22 Federal Street, Boston, Massachusetts, on  
23 Wednesday, September 13, 2000, commencing at  
24 9:15 a.m.

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1 Parke-Davis program."  
2 Do you see that?  
3 A. Yes.  
4 Q. When you refer to package of monetary  
5 incentives, can you list for me what the  
6 package was?  
7 A. Speakers Bureau, preceptorships, which were  
8 often referred to as shadowing programs,  
9 consultantships, record reviews.  
10 Q. Anything else?  
11 A. That's it.  
12 Q. Did you ever provide any of these monetary  
13 incentives to any physicians?  
14 A. I did not, no.  
15 Q. None of them, no speakers?  
16 A. No, I hadn't been there long enough.  
17 Q. Are you aware of -- strike that.  
18 A. I'm sorry. There were also Olympic tickets.  
19 Q. Now, including Olympic tickets, did you  
20 provide those to anyone?  
21 A. No.  
22 Q. If you could turn to page 11 of Exhibit 3.  
23 You refer to a meeting of the Northeast CBU  
24 that you attended in Farmington, Connecticut

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1           on April 22, 1996. Do you see that?  
2    A.    Yes.  
3    Q.    Do you recall that meeting?  
4    A.    Yes.  
5    Q.    Did you take notes of that meeting?  
6    A.    I don't recall.  
7    Q.    Did you tape-record that meeting?  
8    A.    No.  
9    Q.    You attribute some language here to Ford.  
10   You're referring to John Ford?  
11   A.    Yes.  
12   Q.    And, again, this is not based on notes and  
13       it is not based on the recorded  
14       conversations, it is based on your  
15       recollection of what he said?  
16   A.    Yes.  
17   Q.    The third from the last line refers to, "I  
18       don't want to hear that safety crap."  
19   A.    Yes.  
20   Q.    What did you understand -- first, do you  
21       believe he used those words?  
22   A.    Yes.  
23   Q.    What do you understand him to be referring  
24       to?

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